

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 001245

SIPDIS

GENEVA FOR RMA
LONDON FOR POL/RIEDEL
BEIJING PASS CHENGDU

E.O. 12958: DECL: 06/24/2012

TAGS: [PREF](#) [PREL](#) [ECPS](#) [PROP](#) [PHUM](#) [NP](#) [CH](#)

SUBJECT: TIBETAN REFUGEE UPDATE: ASYLUM REQUEST, PUBLIC
GATHERINGS, DECLINE IN TRANSIT NUMBERS, BORDER VISIT

REF: A. KATHMANDU 976

- [B](#). KATHMANDU 497
- [C](#). KATHMANDU 411
- [D](#). 01 KATHMANDU 1840
- [E](#). 01 KATHMANDU 1768
- [F](#). 01 KATHMANDU 1175
- [G](#). 01 KATHMANDU 616

Classified By: DCM Robert K. Boggs, Reasons 1.5 (b), (d).

[1](#). (C) Summary. A group of Tibetan refugees arrested by Nepalese authorities in transit to Tibet from India seek a royal amnesty on the King's upcoming birthday, July 7. UNHCR, Post and other diplomatic missions are encouraging the GON to grant the requests. At the urging of UNHCR, Nepal released an unaccompanied minor child jailed for two months after entering Nepal from Tibet. Two other undocumented Tibetan refugees remain jailed in Kathmandu. A Tibetan community gathering was held on private property June 5, but police shut down an April 28 cultural program at a public venue to celebrate the birthday of Dharamsala's Panchen Lama.

[1](#)2. (C) Summary, con't: The UNHCR Representative in Kathmandu briefed visiting officers from the U.S. Mission in China on the continued decline in numbers of Tibetan refugee arrivals. Both UNHCR and sources at the Tibetan Reception Center attributed the drop to greater ease in obtaining Chinese passports, possible tighter Chinese control of travelers, and the pull-back of Nepal's security forces from border areas, which allows Tibetans to slip across more easily. Seeing the Dalai Lama and pursuing studies in India continue to be the most popular reasons for traveling to India. Poloff visited the Nepalese immigration post at Kodari June 11 to discuss their treatment of Tibetan refugees. End Summary.

Jailed Tibetans Still Seeking Amnesty

[1](#)3. (SBU) The group of Tibetan refugees arrested in August, 2001 while attempting to transit Nepal on their way back to Tibet from India (Ref A) continue to seek a royal amnesty. The King will next grant an amnesty on the occasion of his birthday, July 7. (Note: Of the original group of eleven, one was released into the care of medical professionals at the Tibetan Reception Center in Kathmandu due to severe emotional distress. The number went back to eleven, however, after one woman gave birth February 19. End Note.) Lawyers for a local human rights organization have prepared petitions for amnesty on behalf of the group.

[1](#)4. (C) Post plans to contact Home Ministry officials and write to the Prime Minister requesting that favorable consideration be given to the amnesty request. UK and Australian Embosffs have indicated to us that they will also encourage GON officials to consider granting amnesty, and UNHCR informed us that they wrote to the PM June 19 in support of the Tibetans' appeal. Similar efforts were expended in advance of the February 19 Democracy Day, the last time the King granted amnesties, but without success (Ref C).

Nepal Releases Minor Child

[1](#)5. (C) UNHCR secured the release June 18 of an unaccompanied 14-year-old Tibetan arrested in March after entering Nepal from Tibet. According to a UNHCR protection officer, repeated entreaties on behalf of the boy fell on deaf ears at first. Only when UNHCR pointed out that Nepal was a signatory to the UN Convention on the Rights of the Child--and thus should not lock up minors--did authorities agree to release him. (Note: Nepal, like its South Asian neighbors, has not yet signed the UN Refugee Convention. End Note.)

Tibetan Public Gatherings Still O.K.--In Private

[1](#)6. (C) Kathmandu's Tibetans gathered at the Tibetan Reception Center June 5 to mark the anniversary of the founding of the

modern Tibetan system of government headed by the Dalai Lama. Nepalese authorities did not interfere with the assembly. On April 28, however, a cultural program sponsored by the Tibetan Youth Club to mark the thirteenth birthday of Gedhun Choekyi Nyima - Dharamsala's pick for Panchen Lama - was cancelled at the last minute after police told organizers they would not let it proceed. The event was to have been held at Kathmandu's Academy Hall, a public venue. Over the past year, Nepalese authorities have allowed all manner of Tibetan community activities to go forward on private property (such as the reception center) but have not permitted events at public venues, like that of the April 28 program, they construe to have political overtones.

Decline in New Arrivals Continues

17. (C) UNHCR Representative Michel Dupoizat told Emboff and visiting China Mission PolOffs recently that the number of Tibetans processed by UNHCR at the Tibetan Reception Center, operated by the Tibetan community and headed by the Dalai Lama's representative, Wangchuk Tsering, continues to decline following a peak of 3,109 in 1998. Subsequent annual figures for the years 1999, 2000 and 2001 were 2,182, 2,381 and 1,381, respectively. Only 323 have arrived in 2002 as of the end of May (compared to 816, 665, 833 and 582 for the same period in the years 1998-2001.) Dupoizat stressed that these figures cover only those arriving at and processed by the Center. Many others may not reach the Center as they pass through Nepal en route to India.

18. (C) The Center keeps detailed records on each arrival based on whether he or she arrived with passport, without passport or as unaccompanied minors. The three categories are further divided into region of origin: Kham, Amdo and U-Tsang. While at the Center, PolOffs met a number of recent arrivals. One group of three had come from the Deqin Tibetan Autonomous Prefecture in Yunnan province. After making their way on their own to Lhasa, they hired a guide for RMB 2,000 per person to take them the rest of the way to Kathmandu.

Chinese Security Cited as Behind Drop in Arrivals

19. (C) Asked why numbers at the Reception Center are down, Dupoizat and Wangchuk Tsering offered several explanations. Dupoizat noted that it is now easier for Tibetans to obtain travel documents, making UNHCR assistance unnecessary. Citing unconfirmable reports, Dupoizat, echoed separately by Tsering, suggested that the Chinese were becoming better at

SIPDIS

intercepting would-be India-bound travelers. Lastly, it was suggested that the security situation within Nepal, with the consequent pullback of security forces from many border areas, has made it easier for Tibetans to slip all the way through Nepal once across the border.

Background: Nepal and Tibetan Refugees

10. (C) By way of background, Dupoizat explained that until January 1, 1990, the Nepal government allowed Tibetans to stay in Nepal as refugees. Official recognition was spotty, however; although Nepalese identity cards were issued to some Tibetans resident in Nepal, others did not receive them. Beginning in 1990, Nepal allowed new arrivals to transit but insisted that they leave for a "third country," which was invariably India. Most Tibetans now arriving in Nepal intend to travel on to Dharamsala to see the Dalai Lama or to study, either in a secular school or monastery, he noted. This "transit-through" system worked fairly smoothly, he said, until about 2000. However, following the December 25, 1999 hijacking of a plane bound from Kathmandu to New Delhi, the January 2000 flight to India of the Karmapa, and subsequent high-level visits between Nepal and China, the situation in Nepal tightened up. As a result, the Nepal government no longer grants permission for UNHCR to send monitoring missions to the border with Tibet (Ref E). Nepal has, however, permitted "familiarization" visits to the headquarters of border districts for the purpose of consulting with officials based there (Ref D).

UNHCR's Card System Marks One-Year Anniversary

11. (C) To address the continuing need to assist Tibetan travelers while meeting the Nepal government's concerns, in May 2001 UNHCR instituted a system whereby a card is prepared for each individual Tibetan arriving at the Tibet Reception Center identifying him as a "person of concern" to UNHCR (Ref F). The person is not given the card at this point, however. Once the number of individuals at the Center reaches a "critical mass" (enough to fill a bus), they are sent to the Indian border in the company of a Nepali immigration officer. An Office of Tibet staffer accompanies the group all the way to Dharamsala, carrying the Tibetans' cards which he turns

over to the government-in-exile. If and when the individual decides to return to Tibet, the card is stamped with the date he departs for Tibet from Dharamsala. He then has 30 days to transit Nepal to Tibet. The Nepal Government tacitly, but not formally, recognizes this system, and to date no one in possession of this card has been detained by Nepalese authorities.

Dalai Lama Still a Draw to TRC

12. (C) During a separate meeting with Wangchuk Tsering, head of the Center and the Dalai Lama's Representative in Nepal, Tsering suggested that most Tibetans do, indeed, try to reach

SIPDIS
the Center if only because those arriving in Dharamsala from the Center are granted an audience with the Dalai Lama. Most hire a guide to escort them along one of the three or four most common mountain routes, which include via Kodari, Humla in the west, and Nangpa Pass in the Khumbu region. Those living within 30 kilometers of the border can obtain a Border Trade Pass relatively easily (as can Nepalis living on the other side of the border). Others try to get travel passes (Ch: tongxing zheng) which will allow them to at least approach the border area to make an attempt to slip across.

Refugees Pass Us By, Immigration Officers Say

13. (C) On June 11 Poloff met with Nepalese officials at the Kodari border immigration office last visited by Post in May 2001 (Ref F). In March 2001 immigration officers there told Emboff that they turned over to China approximately 150 Tibetans per year (Ref G). During a May 2001 follow-up visit, Emboff heard that this practice had ceased. On June 11 Immigration officers repeated the claim that they no longer turn over Tibetans to China. They insisted that intending refugees elude detection by sneaking through heavily forested areas around the border. There had been no recent interdictions of Tibetans, the officers added.

14. (U) Post would like to thank Embassy Beijing for its contribution to this report.
MALINOWSKI